

STATEMENT OF WORK DEVELOPMENT INSTRUCTIONS

Land Buy Back Program for Tribal Nations

I. Introduction

The Statement of Work is a comprehensive document that expands upon the roles, responsibilities, functions, tasks, and deliverables in the Scope of Work Template that a Participating Tribe (Tribe) has agreed to execute. Similar to a grant proposal, the Statement of Work is the document where a Participating Tribe provides detailed narrative and budgetary information on the anticipated activities under, and the associated costs to be charged to, a Cooperative Agreement with the Land Buy-Back Program for Tribal Nations (Buy-Back Program/Program).

The Tribe must submit the Statement of Work as part of its application package for a Cooperative Agreement with the Buy-Back Program. With the exception of a cover letter, which is optional, the application package must include all of the following documents to be considered for funding:

- Cover Letter (Optional)
- Completed and Signed Scope of Work Template
- Statement(s) of Work
- Completed SF-424 Application Forms:
 - *The SF-424 Application for Federal Assistance*
 - *The SF-424(A) Budget Information for Non-Construction Programs*
 - *The SF-424(B) Assurances for Non-Construction Programs*
- Tribal Authorization (see Section V below)

Due to the necessary detail and to ensure clarity and enable quick review, it is highly recommended that Participating Tribes prepare and submit a separate Statement of Work specific to each of the land consolidation phases in which the Tribe proposes to participate. The phases are identified in the Scope of Work Template (i.e., Outreach, Land Research, Valuation, and Acquisition).

Consequently, if a Tribe is planning to participate in more than one phase, it will need to submit more than one Statement of Work as part of its application. Tribes may submit separate Statements of Work for each of the phase-specific tasks it plans to undertake as well.

The Cooperative Agreement Template (the award document) will be prepared by the Buy-Back Program once the Participating Tribe's application package has been reviewed and approved (see Section VII for additional information on the award).

II. Format

There is no prescribed format for the Statement of Work; however, the document must include all elements described in Section IV below.

III. Length

There is no minimum or maximum length for the Statement of Work; however, Participating Tribes are encouraged to be as concise and clear as possible while providing all of the necessary details.

IV. Content

A satisfactory Statement of Work must contain all of the following elements:

1. **Introduction:** Briefly describe the proposed phase (Outreach, Land Research, Valuation, or Acquisition), as well as the specific task(s), as detailed in the Scope of Work Template, to be carried out by the Participating Tribe during that phase. Include the total amount of funding being requested.
2. **Detailed Narrative Description:** Expand upon the tasks and task-specific activities described in the Scope of Work Template for each phase that the Tribe proposes to perform. For example, if a Tribe will be partnering with the Buy-Back Program to perform Outreach, this section should provide detailed information explaining how the Tribe will conduct the outreach tasks and activities and meet the task-specific requirements listed in the Scope of Work Template. As applicable, this section should detail the term staff positions to be created; the nature, extent, and purpose for travel that will occur; equipment that will be purchased; procurements (contracts) that will be entered into; outreach activities to be undertaken; etc.

The Scope of Work Template summarizes the tasks and task-specific activities to be undertaken under each of the phases identified. In many cases, it also identifies task-specific requirements for those activities. As a result, Participating Tribes are encouraged to closely review the relevant language in the Scope of Work Template when preparing a Statement of Work. The narrative description portion of the Statement of Work should align with and expand upon those identified activities and any specific requirements. Task specific information that must be provided includes, but is not limited to, the following:

- a. **Outreach:** Describe how the Participating Tribe plans to implement the following key components of Outreach, further detailed in the Scope of Work Template, that it proposes to perform:
 - i. **Develop Outreach Plan:** Describe how the Participating Tribe will collaborate with the Buy-Back Program, Bureau of Indian Affairs (BIA), Office of the Special Trustee for American Indians (OST), and potentially other tribes on plan preparation, content, and structure. This description should include how the Tribe will maintain interest if delays occur between initial outreach efforts and the delivery of offer packets, and how it will include landowners not residing on reservations in its efforts.
 - ii. **Identify Addresses and Update Owner Contact Information:** Describe how the Participating Tribe plans to identify and update landowner contact information (names, mailing addresses, and telephone numbers), including those whose whereabouts are unknown (i.e. owners with Individual Indian

Money (IIM) accounts coded as whereabouts unknown (WAU)), to enable OST and BIA to verify and update the appropriate trust systems.

- iii. *Notify Owners, including WAU Owners:* Describe how the Participating Tribe plans to notify landowners, including WAU owners, of the opportunity to sell.
 - iv. *Identify Interested Sellers:* Describe how the Participating Tribe will identify interested sellers and how that information will be conveyed to the Buy-Back Program.
 - v. *Conduct Pre-Offer Outreach:* Describe how the Participating Tribe plans to conduct pre-offer outreach, including the nature of the outreach and information to be provided.
 - vi. *Conduct Post-Offer Outreach:* Describe how the Participating Tribe plans to conduct post-offer outreach, including how the Tribe plans to address any landowner questions and how information, such as offer deadlines, will be conveyed.
- b. Land Research: Tribes that will be participating in this phase will need to provide a listing of their priority tracts for acquisition including the tract identification number. They must also describe how the Tribe plans to implement each of the tasks listed below under the Land Research phase that it proposes to participate in:
- i. *Base Mapping:* Describe how the Tribe will meet Federal Government mapping and data standards and formats to ensure compatibility, reliability, and defensibility of the information produced. Describe the Tribe's experience with ArcGIS and Federal mapping standards. Detail which existing mapping products the Tribe will utilize and whether any of them must be provided by the Buy-Back Program. Explain the quality control measure that will be utilized.
 - ii. *Land Use Characterization:* Describe the Tribe's familiarity with ArcGIS. Describe the project requirements, data standards, and formatting that will be used to fulfill the goals and objectives of this task, including whether the Tribe has already coordinated with Interior's Office Appraisal Services (OAS) on the development of these standards and formats to ensure that the resulting information on fractionated tracts of land is accurate and defensible. Detail how the Tribe will continue to coordinate with OAS for its review and approval of all work performed.
 - iii. *Comparable Sales Information:* Describe the anticipated requirements, data standards, and formatting that will be used to develop the recent sales database, and whether the Tribe has already coordinated with OAS on the

development of these. Detail how the Tribe will continue to coordinate with OAS for its review and approval of all work performed.

- iv. *Minerals Evaluation*: Describe the methodology that will be utilized to research and assess the potential for viable mineral resources within the reservation. Describe the requirements, data standards, and formatting that will be used and whether the Tribe has already coordinated with Interior's Office of Minerals Evaluation (OME). Describe the Tribe's familiarity and experience with ArcGIS. Explain how the Tribe plans to coordinate with OME to ensure that all work performed is OME reviewed and approved. Finally, describe the experience staff working on the effort have in assessing the economic viability of mineral resources.
- c. Valuation: Tribes that will be participating in this phase will need to provide a listing of their priority tracts for acquisition including the tract identification number. They must also describe how the Tribe plans to implement each of the below Valuation phase tasks that it proposes to participate in:
 - i. *Mass Valuation*: Describe how the Tribe intends to research fractionated tracts of land to determine if they are amenable to mass appraisal valuation methods and reports. Describe how Uniform Standards of Professional Appraisal Practice (USPAP) will be met, and whether the Tribe's mass appraisal model has been reviewed and approved by OAS. Explain how the Tribe plans to coordinate with OAS to ensure that all mass appraisals are OAS reviewed and approved, and how the Tribe will ensure that deliverables are compatible with OAS information System (OASIS). Explain how the Tribe will coordinate appraisal timeframes with OAS.
 - ii. *Project Appraisal Reports*: Describe the requirements, data standards and formatting that will be utilized and whether the Tribe has already coordinated with OAS on the development of these; the Participating Tribe's appraisal expertise and experience; proposed appraisal timeframes and whether those have already been coordinated with OAS.
 - iii. *Conventional Individual Appraisals*: Describe the requirements, data standards, and formatting that will be utilized and whether the Tribe has already coordinated with OAS on the development of these issues. Describe how the Tribe will ensure that appraisals are prepared in accordance with USPAP and that deliverables will be compatible with OASIS, and how the Tribe will coordinate appraisal timeframes with OAS to provide fair market value estimates that are consistent with the acquisition schedule.

Note that for each of the three Evaluation tasks listed above, a Real Estate Appraisal Methodologies Report and a detailed appraisal statement of work (not to be confused with the Statement of Work described herein) will be provided at the Tribe's request.

- d. **Acquisition:** This phase will be carried out predominantly by the Buy-Back Program. However, there are two tasks associated within the Acquisition Phase that relate back to the Outreach Phase that the Participating Tribe may perform: Pre-Offer Outreach and Post-Offer Outreach.
3. **Detailed Budget Information:** Detailed narrative budget information for phase or phase-specific tasks to be undertaken must be provided in this section. This information should align with, and expand upon, the budget information provided in the SF-424A Budget Information for Non Construction Programs, which is part of the Participating Tribe's application package. Participating Tribes are encouraged to develop a budget breakout chart by category, (i.e., personnel, equipment, supplies, travel, training, consultants, contracts, other direct and indirect costs, etc.) to support their budget narrative. The individual categories of cost should be thoroughly explained in the budget narrative. For example, if "equipment" is a proposed cost category, describe the type of equipment the Tribe will procure and why it is necessary. Cost categories that may not be self-explanatory or are broad, such as "supplies," must be explained in full.

All costs to be charged against the agreement must be allowable, reasonable, and in full compliance with Office of Management and Budget Circular A-87, as codified in 2 CFR Part 225, "Cost Principles for State, Local, and Indian Tribal Governments."

The costs detailed in this section can only be incurred by the Participating Tribe during the performance period (the period that the agreement is in effect) of the Cooperative Agreement. Pre-award costs, or costs that are incurred prior to the award of the Cooperative Agreement, are not allowable without prior written approval from the Buy-Back Program.

4. **Detailed Task(s) Timeline(s):** This section of the Statement of Work will form the basis for the performance period of the Cooperative Agreement. The information provided should correspond with the start and end dates listed on the Scope of Work Template for the specific phases and tasks the Tribe is proposing to undertake.

Provide a detailed project timeline for the completion of the activities to be undertaken including the estimated beginning and ending dates. The timeline should encompass the entire period of performance being requested and should provide month-by-month information on the activities to be undertaken. For instance, the Tribe could document this in a chart, such as the illustrative example below:

Month 1	Activity 1 Activity 2 Activity 3
Month 2	Activity 2 continued Activity 3 continued Activity 4 Activity 5

Month 3	Activity 3 continued Activity 4 continued Activity 5 continued Activity 6 Activity 7
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The timeline should include anticipated collaboration with the Buy-Back Program and other Departmental offices, such as OAS and OME. For example, if a Tribe will be preparing an Outreach Plan, the Statement of Work timeline should show when the Tribe anticipates completing the draft of that Outreach Plan, when it will submit the draft to the Buy-Back Program and other collaborators for review, and when it will incorporate comments and finalize the draft.

If collaboration is required, such as on minerals evaluation with OME, Participating Tribes are encouraged to contact their collaborator to determine anticipated review and approval timeframes as part of their Statement(s) of Work development process.

Note that Participating Tribes should limit their proposed activities to no more than twenty four months. This section should include a thorough justification if a Tribe is proposing a period of performance exceeding twenty four months.

5. **Tribal Capacity:** Describe the Tribe's existing organizational and management structure (including financial management and award administration), and any previous experience with similar activities. Tribes are urged to provide an organizational chart as well as descriptions of the qualifications and experience of key staff who will be working on the Buy-Back Program phases, tasks and activities, in this section. If the Tribe has not had a satisfactory history of performance on other federal financial assistance awards, describe the violations that occurred and any steps taken to rectify them. This should include any audit findings.
6. **Anticipated Non-Federal Collaborators:** Provide the names, titles, and tribal affiliations of any anticipated non-Federal collaborators, as well as a detailed description of the nature of the affiliation and which specific tasks and/or activities will be subject to collaboration. Collaborators may include other tribes. If the Participating Tribe is planning to sub-award funds to other tribes as part of the Cooperative Agreement, that should be detailed in this section.
7. **Contractor and Consultant Costs:** If not already detailed in the narrative and budget sections above; describe any anticipated contractor and consultant involvement and costs.
8. **Tribal Contact:** Provide the name, title, address, telephone number, and email address for the Tribal point of contact for this Statement of Work as well for the Cooperative Agreement. This should be someone who the Buy-Back Program may contact in order to address any questions or concerns about this Statement of Work and all matters related to the Cooperative Agreement.

V. Tribal Authorization

The application package, including completed Statement(s) of Work, must be approved by the Participating Tribe through an authorizing Tribal resolution, or other official means by which Tribal business is done, prior to submission to the Buy-Back Program. A copy of the Tribal authorization must be submitted as part of the application package.

VI. Review & Approval

Because time is of the essence, the Buy-Back Program will work as quickly as possible to review and, as appropriate, approve the submitted application package, including the Statement(s) of Work. For submissions that cannot be approved (e.g., incomplete packages, clarification needed on certain items, etc.), the Buy-Back Program will contact the Tribal point of contact to address concerns and/or negotiate any items as expeditiously as possible.

VII. The Cooperative Agreement Award

The Buy-Back Program will complete the Cooperative Agreement Template with information from the Tribe's submitted application package once all negotiations are completed and the package has been approved. The Buy-Back Program Manager will sign the Cooperative Agreement Template after which it will be forwarded to the authorized Tribal official for signature. Once signed by the authorized Tribal official, the Cooperative Agreement Template must be returned to the Buy-Back Program for fund obligation. A copy of the final award package will be provided to the Participating Tribe after obligation.